

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Case No. 04-cr-216-01-SM

James Tobin

O R D E R

Defendant Tobin's motion to continue the final pretrial conference and trial is granted (document 223). Trial has been rescheduled for the February 2008 trial period. Defendant Tobin shall file a waiver of speedy trial rights not later than December 10, 2007. On the filing of such waiver, his continuance shall be effective.

The Court finds that the ends of justice served by granting a continuance outweigh the best interest of the public and the defendant in a speedy trial, 18 U.S.C. § 3161(h)(8)(B)(iv), in that failure to grant a continuance would unreasonably deny defendant the reasonable time necessary for effective preparation taking into account the exercise of due diligence under the circumstances.

**Final Pretrial Conference:** January 25, 2008 at 11:30 a.m.

**Jury Selection:** February 5, 2008 at 9:30 a.m.

SO ORDERED.



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Steven J. McAuliffe  
Chief Judge

December 3, 2007

cc: All Counsel of Record  
US Probation  
US Marshal